

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LE'RAY EUGENE RICHARDS,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-19-0991-HE
)	
TEAM ACTION, et al.,)	
)	
Defendants.)	

ORDER


Plaintiff Le'Ray Eugene Richards, a *pro se* federal prisoner, filed a "Complaint for Damages" against defendants. On June 12, 2020, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation recommending the court construe plaintiff's "Request to Withdraw Civil Complaint Due to Lack of Jurisdiction" as a motion requiring court action under Fed.R.Civ.P. 41(a)(2) and dismiss this action without prejudice. Judge Mitchell also recommended the court deny plaintiff's requests to refund the partial filing fee payments and to relinquish his obligation to pay the remaining amount of the filing fee. Plaintiff was advised of his right to object to the Report and Recommendation by July 6, 2020.

Plaintiff did not object to the Report and recommendation. Plaintiff therefore has waived his right to appellate review of the factual and legal issues it addressed. *See Cassanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010). Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #29], **CONSTRUES** plaintiff's request to withdraw [Doc. #27] as a motion requiring court action under Fed.R.Civ.P. 41(a)(2),

DISMISSES this action without prejudice, and **DENIES** plaintiff's requests to refund the partial filing fee payments and to relinquish his obligation to pay the remaining amount of the filing fee.

IT IS SO ORDERED.

Dated this 15th day of July, 2020.



JOE HEATON
UNITED STATES DISTRICT JUDGE